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RUEHBI/AMCONSUL MUMBAI
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RUEHKP/AMCONSUL KARACHI 0092
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SUBJECT: HUMAN RIGHTS WATCH CRITICIZES THE UAE'S TREATMENT
OF FOREIGN WORKERS

REF: A. A) DUBAI 1842

[1](#)B. B) ABU DHABI 00286

[1](#)C. C) ABU DHABI 01223

[1](#)D. D) ABU DHABI 01104

[1](#)E. E) ABU DHABI 789

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[1](#)1. (U) Summary: On March 30, Human Rights Watch (HRW) published a report urging the UAEG to take immediate steps to end abusive labor practices. The report focuses heavily on the plight of foreign construction workers who often end up in &debt bondage.⁸ HRW also urged the UAEG to expand its staff overseeing migrant labor and to reform its labor laws so that they conform to international standards set by the International Labor Organization (ILO). The Minister of Labor (MOL) responded swiftly to the HRW report calling the allegations &illogical and insane.⁸ However, he promised many of HRW,s concerns would be addressed by a new labor law, which he said would be signed by the end of the year. Hadi Ghaemi, the HRW researcher who wrote the report, met with emboffs during his trip to the UAE in February to share his findings. Ambassador will be following up next week with Labor Minister Al Ka,abi. End Summary.

Human Rights Watch Article

[1](#)2. (SBU) On March 30, HRW published a report addressing the abuses of migrant workers in the UAE, and urging the UAEG to take immediate steps to end abusive labor practices. Sarah Leah Whitson, Middle East and North Africa director at HRW, stated in the article, &one of the world,s largest construction booms is feeding off of workers in Dubai, but they,re treated as less than human. ... It,s no surprise that some workers have started rioting in protest. What,s surprising is that the government of the UAE is doing nothing to solve the problem.⁸ In 2005, HRW reported that nearly 20,000 workers filed complaints with the UAE Permanent Committee for Labor and Immigration regarding non-payment of wages and labor camp conditions. During the past year, workers have increasingly resorted to public protests in an attempt to improve working conditions, such as squalid living

quarters, lack of medical care and non-payment of wages. Although most of the protests have been peaceful, one strike in Dubai recently turned violent (Ref A). The Indian Labor attach in Dubai told Dubai pol/econoff, this is the first time he &felt the workers were in the wrong. ... There was a legitimate problem, but the workers should have settled this peacefully.8

¶3. (U) HRW alleges that migrant workers comprise nearly 90% of the workforce in the UAE private sector. However, emboffs believe the number is closer to 98%. Workers in the UAE are denied basic rights such as freedom of association and the right to collective bargaining. The HRW report urged the UAEG to comply with internationally recognized labor standards set out by the ILO and to become a party to several international conventions which protect workers, rights. HRW also urged the UAEG to increase the number of labor inspectors at the MOL. Currently, the MOL employs about 80 inspectors to oversee 200,000 companies that employ laborers.

¶4. (U) The HRW report criticizes the UAEG,s protection of workers from death or injury at the workplace. HRW asserts there were as many as 880 deaths at construction sites in 2004, but official UAEG figures list only 34 deaths. The report compares migrant workers to &indentured servants,8 and it notes that most construction workers secure work in the UAE by taking a loan from a recruiting company in their home country. A typical construction worker uses a large portion of his wages to repay the loan, and if an employer fails to pay the employee,s salary, the laborer falls further into debt. (Note: The cost of the job procurement loan is between \$1400-2700 with a 5-10% interest rate and the average salary is \$164 a month. End note.)

¶5. (U) HRW called on the US, EU and Australia to require improvements in UAE labor practices and legal standards

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before signing free trade agreements with the UAE. HRW stressed free trade agreements should include strong, enforceable workers, rights provisions, which meet international standards, as well as the effective enforcement of those laws.

UAEG,s response to HRW Article

¶6. (U) UAE Minister of Labor, Ali Al Ka,abi, categorically rejected the allegations contained in the HRW piece as &insane and illogical.8 Al Ka,abi,s comments were widely covered in both the Arabic and English press. Al Ka,abi explained the various safeguards already in place that protect the interests of foreign workers. For example, most employers must pay a guarantee when submitting a work permit application to ensure payment of wages should the employer default on salary payments. The MOL also permits an employee to change sponsors if the employer fails to pay wages for at least three months. Al Ka,abi said the UAEG does not turn a &blind eye8 to the problems as HRW alleges. In fact, the Dubai Police Human Rights Department and the Permanent Committee on Labor Affairs in Dubai were created to investigate and mediate allegations of labor law violations. The UAE labor law and other local laws safeguard the rights and financial security of expatriate workers in the UAE, the Minister said. Lieutenant General Dhahi Khalfan, Commander-in-Chief of the Dubai Police, said the Human Rights Department successfully mediated and ensured payment of \$6.5 million in salaries to workers from November 2005-February ¶2006. The Department also referred 6000 cases to the court during that time.

¶7. (U) Al Ka,abi said that a proposed new labor law guaranteeing the right to strike and the right to form unions will be heard by Cabinet by summer. The draft law will also include a clause allowing peaceful protests. The new regulation will permit a recognized representative of the

protestors to negotiate on their behalf. The Minister and the U/S of Labor have previously told emboffs that a draft law is currently pending before Cabinet (Refs C & D).

Emboffs meet with HRW Researcher

¶8. (SBU) On February 29, emboffs met with Hadi Ghaemi, the author of the March 30 HRW report, at the conclusion of his investigative trip. Ghaemi reported his impressions of labor conditions in the UAE and also recommended that emboffs and other USG officials push the UAE to reform their labor laws. Although most of what Ghaemi told emboffs was reported in the HRW publication, he also provided further details on his research in the UAE. Ghaemi interviewed domestic workers and construction workers in Dubai, Sharjah and Ajman, but not in Abu Dhabi or the other emirates. He visited construction sites, labor camps, and several of the embassies and consulates whose nationals make up the majority of the migrant labor force in the UAE, including India and the Philippines. Ghaemi requested a meeting with the Minister of Labor to hear the government's views on the labor situation.

However, he was only able to meet with a mid-level DOL employee, who gave him no substantive information. Ghaemi said unpaid wages were the biggest complaint among the people he interviewed.

¶9. (SBU) Ghaemi explained to emboffs that most workers sign a contract in their home country in their native language. However, once the workers arrive in the UAE, the employer requires them to sign another contract in Arabic, which often lists a lower salary than the previous contract. Ghaemi estimated it usually takes a worker about two years to pay back the job procurement loan, received from a labor agent in his native country.

¶10. (SBU) During his trip to the UAE, Ghaemi also interviewed 26 domestic workers. Twenty-four maids said they work from 5 AM until midnight, seven days a week. Many of the domestics reported being both sexually and physically abused by their employers or by other members of the household. Some are only

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allowed to eat bread or rice and many are only allowed to eat once a day.

Comment

¶11. (SBU) While post generally concurs with many of the findings reported in the HRW piece, it should be noted that the UAEG quite often sides with workers when resolving labor disputes, and that laborers are neither arrested nor deported for striking (Ref B). Ambassador will be meeting with the Minister of Labor next week to hear his views on the HRW report as well as other labor initiatives.

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